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NOTES OF CASES.

ATTORNEY—NONRESIDENT—SERVICE OF PROCESS.—A nonresident attorney at law is held, in *Greenleaf v. People's Bank* (N. C.), 63 L. R. A. 499, not to be exempt from service of process when coming into the state to transact business before the courts in the interest of his client.

BANKRUPTCY—PREFERENCE BY PAYMENTS ON OPEN ACCOUNT.—Payments made on an open account, within four months of the debtor's adjudication in bankruptcy, which are received in good faith, without the creditor's knowledge of the debtor's insolvency, and are less in amount than the credit sales made by such creditor to the debtor during that period, do not constitute a preference which must be surrendered before the claim for the balance can be allowed under the bankrupt act. *Yaple v. Dahl-Milikan Grocery Company*, — U. S. —, 24 Sup. Ct. 552.

BANKRUPTCY—RECEIVERSHIP—EXEMPTION—PROPERTY SET ASIDE TO AWAIT—DELIVERY TO BANKRUPT UNDER BONDS.—Where a receiver in bankruptcy has been appointed, the court, on petition of the bankrupt, in order to preserve his rights to specific property which he wishes to exempt, and which otherwise would be sold, will direct the receiver to set aside such property to await the result of his exemption claim, and, upon giving bonds for its return, will under some circumstances authorize its delivery to such bankrupt meanwhile. *In Re N. Shaffer & Son*, 128 Fed. 986. (District Court, M. D. Pennsylvania).

BANKS AND BANKING—ALTERATION—LIABILITY OF COLLECTING BANK.—A drawee bank which pays a raised check under the mistaken belief that it has not been altered is held, in *Crocker-Woolworth Nat. Bank v. Nevada Bank* (Cal.), 63 L. R. A. 245, to have no right to the collecting bank to refund the excessive amount after it has in good faith and without notice of fraud turned the proceeds over to the payee, where the indorsement of the collecting bank is restrictive, and the drawee knows that it holds the check merely for collection.

BREACH OF PROMISE—ILLICIT CONNECTION—SUBSEQUENT MARRIAGE—STATUTORY PENALTY.—The subsequent marriage of the defendant to the injured female is held, in *Re Lewis* (Kan.), 63 L. R. A. 281, not to be a bar to a prosecution under a statute providing a penalty for obtaining illicit connection under promise of marriage with any female of good repute under twenty-one years of age.

COMPARISON OF HANDWRITING.—When other writings are available for comparison with a disputed writing in a slander case, it is held, in *Gambrell v. Schooley* (Md.), 63 L. R. A. 427, that there should not be ad-

mitted in evidence a letter confined to the political issues of a pending presidential campaign, the effect of which will tend to prejudice defendant with such members of the jury as do not share the views expressed.

An elaborate note to this case reviews all the authorities on competency of handwritings as standards for comparison.

CONFIDENTIAL RELATIONS—PROPERTY RIGHTS—UNPATENTED DISCOVERY—INJUNCTION.—Persons who, through confidential relations with the discoverer of a medical preparation, gain possession of his secret, are held, in *Stewart v. Hook* (Ga.), 63 L. R. A. 255, to be properly restrained by a court of equity from divulging it, so as to make use of it to his detriment, although the preparation was not patented, since the owner has a property right in his discovery.

CONFLICT OF LAWS—JUDGMENT—STATUTE OF LIMITATIONS.—A judgment of the courts of a state where a note is sent for collection, holding it barred by the statute of limitations, is held, in *Brand v. Brand* (Ky.), 63 L. R. A. 206, not to bar a suit upon the note in another state, where the action is not barred, if, by the laws of the state where the judgment was rendered, the cause of action was not extinguished by the judgment, which operates exclusively upon the remedy.

CONSPIRACY—INJURY TO BUSINESS.—A combination of individuals for the purpose of inflicting a malicious injury upon another by ruining his business is held, in *State ex rel. Durner v. Huegin* (Wis.), 62 L. R. A. 700, to be actionable, both at common law and under the statute.

With these cases is an extensive note on the effect of bad motive to make actionable what would otherwise not be.

EVIDENCE—PROOF OF FOREIGN LAW.—The admission in evidence of an agreed translation of the statutes of a foreign country does not preclude the use, upon any matter open to reasonable doubt, of the deposition of a lawyer of that country, respecting the accepted or proper construction of such statutes. *Slater v. Mexican National Railroad Co.*, — U. S. —, 24 Sup. Ct. 581.

GAMING—KEEPING GAMBLING TABLE—SECTION 3815 OF CODE—UNEQUAL CHANCES.—Would the mere fact of keeping a gaming table subject the owner to punishment and consign the table to flames, under section 3815 of the Code, if it were shown that the table had never been used for gambling purposes? Section 3815 reads as follows:

"If any person keep or exhibit a gaming table, commonly called A B C, or E O table, faro bank, wheel of fortune, keno table, or table of the like kind under any denomination, whether the game or table be played with cards, dice, or otherwise, or be a partner, or concerned in interest in the keeping or exhibiting such table or bank, he shall be confined in jail not less than two nor more than twelve months, and fined not less than one